

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1, 2-27, and 29-45 remain in the application. Claims 1, 4, and have been amended. Claims 30-45 have been withdrawn from further consideration. Claims 2 and 28 were previously cancelled.

In the second paragraph on page 2 of the above-identified Office action, claims 1-29 have been rejected as being indefinite under 35 U.S.C. § 112.

More specifically, the Examiner alleges that the terms "follow-up", "making-up", and "bush" are not defined in the specification and have no art-recognized meaning. Applicants disagree with the Examiner. The follow-up device is defined on page 1, lines 12-23 and on page 29, lines 10-26. Likewise, the making-up device is described on page 28, lines 22-25 of the specification. Regarding a "bush", a person of ordinary skill in the art knows that a "bush" is a cylindrical sleeve or collar. This fact is also shown in Figs. 3 and 4 of the instant application. Furthermore, "bush" is common art-recognized terminology that is used in many issued U.S.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

patents. Furthermore, the definition of bush from Webster's Third New International Dictionary is: bushing. Bushing is defined by the same dictionary as: a removable lining or sleeve of metal or other material that is inserted or screwed into an opening to limit its size, resist wear or erosion, or serve as a guide. Accordingly, a heating bush is a heating guide. As seen from the above-given remarks, it is respectfully noted that the Examiner's comments regarding "follow-up", "making-up" and "bush" appear to be baseless. Therefore, the claims have not been amended to overcome the rejection. It is well-accepted in U.S. Patent Law that a patent attorney can be his or her own lexicographer.

The Examiner alleges that in claim 6, there is no antecedent basis for "the preforms". It is respectfully noted that the Examiner is in error. More specifically, claim 1 calls for "a matrix configuration for simultaneously receiving a number of preforms" and for "a follow-up device configured to hold and feed the preforms". The preforms are workpieces and are therefore properly introduced inferentially, as such they are not "part" of the invention. Accordingly, there is antecedent basis for the "preforms". Therefore, the claims have not been amended to overcome the rejection.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved.

In the last paragraph on page 2 of the Office action, claims 1, 3-6, 18-19, 25, 28, and 29 have been rejected as being fully anticipated by Guoronnec et al. (U.S. Patent No. 4,373,943) (hereinafter "Guoronnec") under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found in Fig.3 and on page 32, lines 1-11 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

heating bushes being disposed at respective crossing points of the first and second axes.

The Guoronnec reference discloses a multiple fiber forming machine. Guoronnec discloses a furnace that has drawing laboratories. The furnace may have laboratories that are configured radially around a central axis in an axial symmetry, but can also have linearly arranged laboratories.

The reference does not show the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes, as recited in claim 1 of the instant application. The Guoronnec reference discloses heating laboratories that are disposed in an axial symmetry or in a linear fashion.

Gouronnec does not disclose mutually parallel first and second matrix axes disposed at an angle of less than 90° with respect to one another and heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which the matrix configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

Since claim 1 is believed to be allowable over Guoronnec, dependent claims 3-6, 18-19, 25, 28, and 29 are believed to be allowable over Guoronnec as well.

In the penultimate paragraph on page 5 of the Office action, claims 4, 7, and 8 have been rejected as being obvious over Guoronnec (U.S. Patent No. 4,373,943) alone, or in view of Watts (U.S. Patent No. 4,204,852) under 35 U.S.C. § 103. Watts does not make up for the deficiencies of Guoronnec. Since claim 1 is believed to be allowable, dependent claims 4, 7, and 8 are believed to be allowable as well.

In the second paragraph on page 6 of the Office action, claims 4 and 8 have been rejected as being obvious over Guoronnec (U.S. Patent No. 4,373,943) alone, or in view of Watts (U.S. Patent No. 4,204,852) and further in view of Jensen (U.S. Patent No. 5,062,876) under 35 U.S.C. § 103. Jensen does not make up for the deficiencies of Guoronnec and Watts. Since claim 1 is believed to be allowable, dependent claims 4 and 8 are believed to be allowable as well.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

In the last paragraph on page 6 of the Office action, claims 9-11, 21-23, and 27 have been rejected as being obvious over Guoronnec (U.S. Patent No. 4,373,943) under 35 U.S.C. § 103. Since claim 1 is believed to be allowable, dependent claims 9-11, 21-23, and 27 are believed to be allowable as well.

In the second paragraph on page 7 of the Office action, claims 1 and 12 have been rejected as being obvious over Sanghera et al. (U.S. Patent No. 5,735,927) (hereinafter "Sanghera") in view of Guoronnec (U.S. Patent No. 4,373,943) and Ishihara et al. (U.S. Patent Publication No. 2002/0078715 A1) (hereinafter "Ishihara") under 35 U.S.C. § 103.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes, as recited in claim 1 of the instant application.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

On Page 11 of the previous Office action, the Examiner correctly stated that Sanghera does not teach the multiple bush structure required by the claims. Sanghera does not disclose heating bushes disposed as a matrix configuration, the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which a fiber furnace has heating bushes disposed as a matrix configuration for simultaneously receiving a number of performs, in which the matrix configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

As stated above, Guoronnec does not disclose the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which the matrix

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

The Ishihara reference discloses a drawing furnace (11) having an carbon heater (13) for heating and drawing an optical fiber perform (2). The Ishihara reference does not disclose heating bushes disposed as a matrix configuration, the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which the matrix configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that there is not a *prima facie* case of obviousness.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

Since claim 1 is believed to be allowable, dependent claim 12 is believed to be allowable as well.

In the third paragraph on page 7 of the Office action, claims 1, 11, 13-17, and 24 have been rejected as being obvious over Sanghera (U.S. Patent No. 5,735,927) in view of Guoronnec (U.S. Patent No. 4,373,943) under 35 U.S.C. § 103.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes, as recited in claim 1 of the instant application.

As noted above, the Examiner correctly stated that Sanghera does not teach the multiple bush structure required by the claims. Sanghera does not disclose heating bushes disposed as a matrix configuration, the matrix configuration having mutually parallel first matrix axes and mutually parallel

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which a fiber furnace has heating bushes disposed as a matrix configuration for simultaneously receiving a number of performs, in which the matrix configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

As stated above, Guoronnec does not disclose the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which the matrix configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that there is not a *prima facie* case of obviousness.

Since claim 1 is believed to be allowable, dependent claims 11, 13-17, and 24 are believed to be allowable as well.

In the fourth paragraph on page 7 of the Office action, claims 1, 18, and 20 have been rejected as being obvious over Oh (U.S. Patent No. 6,053,013) in view of Guoronnec (U.S. Patent No. 4,373,943) under 35 U.S.C. § 103.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes, as recited in claim 1 of the instant application.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

On page 12 of the Office action, the Examiner correctly stated that Oh does not teach the multiple bushes of claim 1. Oh does not disclose does not disclose heating bushes disposed as a matrix configuration, the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which a fiber furnace has heating bushes disposed as a matrix configuration for simultaneously receiving a number of performs, in which the matrix configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

As stated above, Guoronnec does not disclose the matrix configuration having mutually parallel first matrix axes and mutually parallel second matrix axes disposed at an angle α of less than 90° with respect to one another and the heating bushes being disposed at respective crossing points of the first and second axes. This is contrary to the invention of the instant application as claimed, in which the matrix

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

configuration has mutually parallel first matrix axes and mutually parallel second matrix axes that are disposed at an angle α of less than 90° with respect to one another and the heating bushes are disposed at respective crossing points of the first and second axes.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that there is not a *prima facie* case of obviousness.

Since claim 1 is believed to be allowable, dependent claims 18 and 20 are believed to be allowable as well.

In the last paragraph on page 7 of the Office action, claims 25 and 26 have been rejected as being obvious over Lee (U.S. Patent Publication No. 2003/0079501 A1) or Guoronnec (U.S. Patent No. 4,373,943) in view of Holschlag (U.S. Patent No. 3,304,163) and optionally Watts (U.S. Patent No. 4,204,852) under 35 U.S.C. § 103. Neither Holschlag nor Watts make up for the deficiencies of Lee and Guoronnec. Therefore claims 25 and 26 are believed to be allowable well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is,

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1, 2-27, and 29-45 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Applic. No. 10/770,617
Amdt. dated June 12, 2006
Reply to Office action of March 10, 2006

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,


For Applicant(s)

Alfred K. Dassler
52,794

AKD:cgm

June 12, 2006

Lerner Greenberg Sterner LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101